IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE C.V.RAMULU

-

WRIT PETITION NO: 23985 of 1998

Between:

N. Lakshman Rao S/o.Kishan Rao, R/o.Hyderabad.

... PETITIONER

AND

1 A.P.S.E.B rep. by its Chairman, Vidyut Soudha Hyderabad.
2 A.P.S.E.B rep. by its Member Secretary
Vidyut Soudha Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly one in the nature of Writ of Mandamus declaring that the Memo.No.SE/OP/WGL/Estt/VS/P11/Progs.No.3739/95, dt.7-3-95 not regularizing the leave periods from 1-11-83 to 26-7-84,29-7-84, to 12-6-85 and 26-6-85 to 4-6-86 and treating the said periods as "Dies Nun" not granting the leave period from 17-6-79 to 30-3-81 though leave has been sanctioned, not accounting the same for increments as arbitrary, illegal, unjust, contrary to law ,violation of Article 14,16 and 21 of the Constitution of India and consequently direct the respondents to regularize the above said periods with all consequential benefits.

Counsel for the Petitioner: MR. P. SRIDHAR RAO

Counsel for the Respondent No: MR. SAMINENI KISHORE,
Standing Counsel for APSEB

The Court made the following:

ORDER: -

It is unfortunate that the prayer in the writ petition is couched in such a way, roping in, all the earlier periods, which were treated as 'Dies Non' for various misconducts proved previously and for the purpose of resolving the same in this writ petition.

2. The only grievance of the petitioner seems to be in not computing the period from 02-03-1987 to 18-10-1990, for which extraordinary leave was granted, for the purpose of sanctioning terminal benefits etc. The case of the petitioner is that the respondents having accorded sanction for the extraordinary leave from 02-03-1987 to 18-10-1990 for the purpose of regularization of unauthorized absence period have not taken the same into consideration for the purpose of calculating the terminal benefits etc.

3. In view of the above, without expressing any opinion, on merits, the respondents are directed to consider the case of the petitioner for reckoning the period from 02-03-1987 to 18-10-1990, which was regulated by according sanction of extraordinary leave through Memo dated
22-11-1996 for the purpose of terminal benefits, sanction of pension etc., and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No order as to costs.

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C. V. RAMULU, J

Dt.22-06-2005

GLV

ASSISTANT REGISTRAR

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SECTION OFFICER

Copies to:

1. The Chairman,
Andhra Pradesh State Electricity Board, Vidyut Soudha,
Hyderabad.
2. The Member Secretary,
Andhra Pradesh State Electricity Board, Vidyut Soudha,
Hyderabad.

3. Two CD copies

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